

1 MICHAEL J. SHEPARD (SBN 91281)

2 *mshepard@kslaw.com*

2 **KING & SPALDING LLP**

3 50 California Street, Suite 3300

3 San Francisco, California 94111

4 Telephone: +1 415 318 1221

5 KERRIE C. DENT (admitted *pro hac vice*)

6 *kdent@kslaw.com*

6 **KING & SPALDING LLP**

7 1700 Pennsylvania Avenue, NW, Suite 900

7 Washington, DC 20006-4707

8 Telephone: +1 202 626 2394

9 CINDY A. DIAMOND (SBN 124995)

10 *cindy@cadiamond.com*

10 **ATTORNEY AT LAW**

11 58 West Portal Ave #350

11 San Francisco, CA 94127

12 Telephone: +1 408 981 6307

13 Attorneys for Defendant

14 ROWLAND MARCUS ANDRADE

15 **UNITED STATES DISTRICT COURT**

16 **NORTHERN DISTRICT OF CALIFORNIA**

17 **SAN FRANCISCO DIVISION**

18 UNITED STATES OF AMERICA,

Case No. 3:20-cr-00249-RS

19 Plaintiff,

**DEFENDANT ANDRADE'S PROPOSED  
VOIR DIRE QUESTIONS**

20 v.

21 Judge: Hon. Richard Seeborg, Chief Judge

22 ROWLAND MARCUS ANDRADE,

23 Defendant.

1 Mr. Andrade proffered questions 6-10 in the parties' Joint Request for 10 Additional Jury  
2 Questionnaire Questions and seeks to ask follow-up questions as appropriate based on the  
3 venire's answers to Mr. Andrade's questionnaire entries. Additionally, Mr. Andrade seeks to ask  
4 the following questions, or questions to the same effect.

5 **PERSONNEL**

6 1. Trial is usually a stressful and emotional experience for the people involved,  
7 especially defendants and witnesses, and it can be hard for those people to control  
8 their non-verbal expressions and emotions. If you observed Mr. Andrade or any of his  
9 counsel have non-verbal or emotional reactions in court, would that influence you in  
10 any way? How so?

11 2. Many people think it is important to always believe alleged victims of crimes when  
12 they tell their stories. Do any of you agree with that? Is that a strongly held belief for  
13 you?

14 3. Has anybody had poor experiences with defense attorneys in another case? What was  
15 your experience?

16 **BURDEN**

17 4. Sometimes jurors may think that a defendant is guilty but aren't convinced beyond a  
18 reasonable doubt, and that can be a difficult situation to be put in. Would you find it  
19 difficult to vote not guilty in a case where you think that the defendant is probably  
20 guilty, but not guilty beyond a reasonable doubt? Would having to vote not guilty in  
21 that circumstance bother you mentally?

22 5. Is it your expectation that you'll hear both sides of the story in this case? Would you  
23 be comfortable making a decision in this case if you didn't get to hear both sides?

24 6. Do you expect an innocent person would always testify in court, and tell his or her  
25 side of the story?

26 7. Even if you don't expect an innocent person to testify, do you think you would still  
27 wonder, even subconsciously, why they didn't testify?

## PREDISPOSITIONS

8. Did you have any kind of internal reaction when reading the description of the charges in this case? What was that reaction?
9. Have you ever felt misled by marketing into buying something later regretted buying? What was that experience? Did you think of that experience when you read the description of this case in the questionnaire?
10. You may have heard before that there is no such thing as a “white lie,” and basically that all lies, no matter how big or small, are equally bad. Do you agree with that?
11. Sometimes people make false claims while genuinely believing that their claims are true. Do you agree that this happens?
12. A common phrase you may have heard before is, ““Never ascribe to malice what can be explained by incompetence,” or in other words, don’t assume someone is malicious when they may just not be that smart. Are you open to that idea?

DATED: January 24, 2025

Respectfully submitted,

/s/ Michael J. Shepard  
MICHAEL J. SHEPARD  
KERRIE C. DENT  
CINDY A. DIAMOND  
Attorneys for Defendant  
ROWLAND MARCUS ANDRADE